

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re the Patent of:

KODAS et al.

Serial No.: 09/030,051

Issue Batch No: H08

Filed: February 24, 1998

Atty. File No.: 41890-00980

For: "COPPER POWDERS, METHODS  
FOR PRODUCING POWDERS AND  
DEVICES FABRICATED FROM  
SAME"

**PETITION UNDER 37 C.F.R. § 1.313(C)**

**CERTIFICATE OF FACSIMILE TRANSMISSION**

I hereby certify that this paper is being transmitted via facsimile (Fax No. 703-308-6916) to the U.S. Patent and Trademark Office on the date shown below.

Print or Type Name: Lisa Lawrence

Signature: *Lisa Lawrence*

Date: December 6, 2000

Assistant Commissioner for Patents  
Washington, D.C. 20231  
Attn: Office of Petitions  
Mr. Douglass Wood

Dear Sir:

Applicants, through their attorneys, respectfully submit this Petition under 37 C.F.R. § 1.313(c)(2) to withdraw the above-identified application from issue. Please note that this is a second request for this Petition.

Withdrawal of the present application from issue is necessary so that the Office can properly consider the patentability of one or more of the claims in view of several commonly assigned and co-pending U.S. Patents and Patent Applications. Applicants are therefore submitting this Petition to withdraw the above-identified application from issue in order to file a Request for Continued Examination in compliance with 37 C.F.R. § 1.114 for proper consideration of this issue. A copy of the Request for Continued Examination that is being filed today is attached.

In view of the foregoing, Applicants respectfully request the grant of this Petition. The Office of Petitions is cordially invited to contact the Applicant's undersigned representative with any questions or comments relating to this Petition. It is Applicant's understanding that the present application is scheduled to issue on **December 19, 2000**.

Please debit Deposit Account No. 50-1419 in the amount of \$130.00 for the fee set forth in 37 C.F.R. § 1.17(i), as well as any additional fees owed in connection with this petition.

Respectfully submitted,

MARSH FISCHMANN & BREYFOGLE LLP

By: 

David F. Dockery  
Registration No. 34,323  
3151 South Vaughn Way, Suite 411  
Aurora, Colorado 80014  
(303) 338-0997

Date: December 6, 2000

# Marsh Fischmann & Breyfogle LLP

Attorneys at Law

3151 South Vaughn Way, Suite 411  
Aurora, Colorado 80014  
(303) 338-0997  
Fax: (303) 338-1514

David F. Dockery  
Direct Dial (720) 747-8873  
ddockery@mfbllaw.com

Date: December 6, 2000  
To: OFFICE OF PETITIONS  
Attention: MR. DOUGLAS WOOD  
Facsimile No.: (703) 308-6916  
Verification No.:  
Client No.: 41890-00980  
From: DAVID F. DOCKERY  
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If you need a confirmation or any of the pages sent again, please call our office at the following number: 303-338-0997. If you do not call within 15 minutes, we will assume you have received the pages satisfactorily. SENT BY: L. Lawrence

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In view of the foregoing, Applicants respectfully request the grant of this Petition. The Office of Petitions is cordially invited to contact the Applicant's undersigned representative with any questions or comments relating to this Petition. It is Applicant's understanding that the present application is scheduled to issue on **December 19, 2000**.

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